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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,346	06/24/2003	Craig Richard Watkins	059643.00725	3987

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EXAMINER	
SANDOVAL, KRISTIN D	
ART UNIT	**PAPER NUMBER**
2132	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/606,346	WATKINS ET AL.	
	Examiner	Art Unit	
	Kristin D. Sandoval	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 November 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-48 are pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 6, 2007 has been entered.

Response to Arguments

3. Applicant's arguments filed November 6, 2007 have been fully considered but they are not persuasive. Applicant argues that Shaw fails to disclose or suggest at least the feature of "a proxy device for receiving a request for network services by at least one remote network device and performing a security integrity scanning operation on the requesting remote network device, wherein the scan is performed at least one of before and after the remote device signs on to the gateway device," and "determining if the remote network device is authorized to access the requested network services based on the results of the security scanning operation." The examiner respectfully disagrees. Shaw discloses a proxy device for receiving a request for network services, in this case, authentication for connection, by at least one remote network device, in this case, a client (6:53-58), and performing a security integrity scanning operation on the requesting remote network device wherein the scan is performed after the remote device

signs on to the gateway device (6:56-61, wherein the remote network device login constitutes signing onto the gateway device and once it is logged in then the scan occurs) and determining if the remote network device is authorized to access the requested network services based on the results of the security scanning operation (6:56-61, wherein, if the scan meets the security requirements then the remote network device is allowed access to it's requested service which is access to the network).

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1-5, 8-15, 19, 21, 22-26, 29, 31, 32, 34, 35-38, 42-44, 46 and 48 rejected under 35 U.S.C. 102(e) as being anticipated by Shaw, U.S. Patent No. 7,058,970.

As per claims 1, 10 and 11:

Shaw discloses an apparatus comprising:

a proxy device configured to receive a request for network services by at least one remote network device and to perform a security integrity scanning operation on the requesting remote network device, wherein the security scanning operation is performed at least one of before and after the remote network device signs on to the proxy device (6:53-61); and an authorization processing unit and access control rules unit configured to determine if the remote network device is authorized to access the requested network services based on the results of the security scanning operation (6:48-61).

As per claims 2, 12, 23 and 36:

Shaw discloses a proxy device making integrity security decisions regarding access to network services by a remote network device on a request-by-request basis (6:48-61).

As per claims 3, 13, 24, 37 and 42

Shaw discloses an access control rules unit that includes a plurality of variables used to generate a set of security properties for each remote network device (6:1-9, 8:19-30).

As per claims 4, 14, 25 and 43:

Shaw discloses a set of security properties that may be different for each remote network device that accesses and requests service through the network (7:42-8:30).

As per claims 5, 15, 26 and 39:

Shaw discloses a device that uses at least one script to select of the type of scanning operations to be performed for each remote network device accessing the network (6:62-7:15).

As per claims 8, 19, 29, 31, 32, 38, 44 and 46:

Shaw discloses the authorization processor referring to a series of variable values in the access control rule unit to determine if a remote network device is authorized to access the requested network service (6:1-61).

As per claim 9:

Shaw discloses a system comprising:

at least one remote network device configured to access a network via a network connection to make a request for one or more network resident services; a gateway device configured to receive the request for services and perform a security integrity scanning operation on the remote network device prior to allowing access to the requested network services (2:62-3:12), wherein the security scanning operation is performed at least one of before and after the

remote network device signs on to the gateway device (6:53-61); an authentication server that verifies user authentication credentials of users of remote network devices that access the network; and at least one network server that provides requested network services to at least one remote network device accessing the network through the gateway device (6:48-7:15).

As per claims 21, 34, 48:

Shaw discloses an apparatus wherein the remote network device is a personal computer (abstract).

As per claim 22:

Shaw discloses a method comprising:

defining at least one variable used as a vehicle to convey the results of the scanning process downloading verification software via a network connection to the remote network device that performs scanning process and reports result used in scanning script includes at least one variable performing at least one scanning operation on the remote network device to verify the security integrity of the remote device, wherein the scanning operation is performed at least one of before and after the remote device signs on to a gateway device which is configured ot perform the at last one scanning operation (6:53-61); and obtaining the results of the scanning operation for purposes of determining whether or not the remote network device is authorized to access the requested network services (4:50-5:3, 6:48-51).

As per clam 35:

Shaw discloses a method comprising the steps of:

defining at least one access control policy for accessing network services wherein the access control policy depends, at least in part, on the results of an integrity scan performed on the

remote network device; downloading verification software that an administrator can specify what scan scripts are to used under what conditions to the remote network device; performing an integrity scan on the remote network device and conveying at least one result of the scan to a gateway device, wherein the integrity scan is performed at least one of before and after the remote device signs on to the gateway device (6:53-61); and regulating access by the remote network device to network services via the gateway device based, at least in part, on the results of the integrity scan (6:48-61, 7:42-8:30).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 6, 7, 16, 17, 18, 27, 28, 30, 40, 41 and 45 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Ji et al. (Ji), U.S. Patent No. 6,728,886.

As per claims 6, 7, 16, 17, 27, 28, 40 and 41:

Shaw fails to teach a signed applet, executing the script, allowed to access the remote network device for the purposes of executing programs as well as searching and reading specific data files that reside on the remote network device. However, Ji discloses a method wherein a signed Java applet is used to execute scripts in a similar endeavor (6:22-45, 7:33-34).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize a signed java applet in order to ensure the integrity of the computer creating a local virus scanning engine on the remote host computer which would make the entire system more secure and prevent the spread of viruses.

3. Claims 6, 7, 16, 17, 18, 27, 28, 30, 40, 41 and 45 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Hiltgen, U.S. PG-PUB 2003/0177392.

As per claims 18, 30, 45:

Shaw fails to teach the use of SSL to protect data communicated between the remote device and the gateway device.

As per claims 20, 33, 47:

Shaw fails to teach networks used for establishing communication between said remote device and said gateway using WAP.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize SSL and WAP in order to improve security of communications and to allow for communications to occur over a wireless network allowing for more flexibility and portability.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin D. Sandoval whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kristin D Sandoval
Examiner
Art Unit 2132

KDS

KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER